## REMARKS

Claims 1-17 are pending in the application. Claims 1-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hinckley (U.S. 5,828,82).

Applicant's claimed invention relates to a network-device control system for performing priority control of a network device constituting a network. The network device is on a communication path between a communication terminal and an apparatus that is the destination of communication.

As part of applicant's claimed invention priority control information is set in the network device. Thus communication between the communication terminal and the apparatus that is the destination of communication is controlled according to the set priority control.

The Office Action points to Fig. 1 (106) to show the communications path. However this is described by Hinckley to simply be a procedure call to a software routine 108 of the program (Hinckley, col. 4, lines 53-56. This is completely different from a communications path between a communication terminal and an apparatus that is the destination of communication.

Additionally, Hinckley relates to a computer operating systems and more particularly to event notification facilities within these computer operating systems. Hinckley does not relate to a network-device control system and apparatus.

Applicant claims: generates information necessary to perform priority control in accordance with the user priority, and sets this priority control information in said obtained network device. Thus the obtained network device controls the priority of communication between the communication terminal and the apparatus that is the destination of communication according to the set priority control.

Hinckley does not suggest such a feature because Hinckley describes an event notification facility detects generation of an event and performs plural programs corresponding to the type of the event in turn. Hinckley suggests execution of software in consideration of a priority, but Hinckley does not teach or even suggest the features of the network-device control system and apparatus of applicant's claimed invention.

Fig. 1 of Hinckley shows the overall flow of software processing control. Hinckley describes a repository of registration 114 has an event table 200 (detailed in Fig. 2).

The event table 200 has a control region 206 corresponding to the type of the event and each control region 206 has a plurality of handler control blocks 208. Each handler control block 208, as shown in Fig. 3, has a handler routine pointer 300 for pointing to a handler routine 108 in Fig. 1, flags 302 and priority field 304.

When an event occurs, an event manager 118 reads, in turn, plural handler control blocks 208 corresponding to the type of the event from the repository of registration 114, and the event manager 118 calls a handler routine 108 entered in each handler control block 208 and performs a corresponding program 104 in turn.

The priority field 304 contains one of three values representing, respectively, "in-line" notification, "journal" notification and "work" notification. "In-line" notification occurs synchronously with the event, and "journal" notification and "work" notification occur asynchronously with the event.

Hinckley does not specifically define the function of the priority field 304, however it is possible that the order of the handler routine 108 calls will be altered in accordance with the value of the priority. (col. 6, lines 5-15).

From the foregoing, according to Hinckley, when an event occurs, the processing is executed considering the value of the priority.

Thus Hinckley only suggests execution of software in consideration of a priority. However, Hinckley does not suggest the features of the network-device control system and apparatus of claims 1-17 of the present invention.

In particular, Hinckley does not teach the feature of the claimed invention (claims 1-7) that performs priority control of the network device on a communication path in accordance with the user priority.

With regard to applicant's claims 8-13, Hinckley fails to describe at least the features of performing priority control of the network device on a communication path in accordance with the priority of the application launched by user.

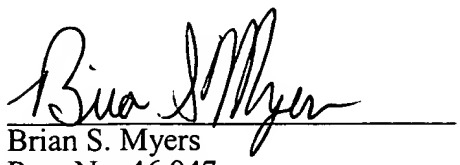
With regard to applicant's claims 14-17, Hinckley does not mention or suggest the features of the claims that performs control of any one of bandwidth, discard rate and delay of a network device on a communication path in accordance with the user priority or the priority of the application launched by user, at all.

It is respectfully submitted that at least these features are not described in Hinckley.

In view of the foregoing remarks it is respectfully requested the rejection of claims 1-17 be withdrawn and this application placed in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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